

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

KETURAH MIXON,

Plaintiff,

v.

Case No. 1:18-cv-499

Hon. Janet T. Neff

Magistrate Judge Ellen S. Carmody

DAVID TROTT, TROTT LAW P.C.
(f/k/a Trott and Trott P.C.), CARRINGTON
MORTGAGE SERVICES, LLC, (a/k/a
Carrington Mortgage Holdings LLC), and
BANK OF AMERICA, (a/k/a Bank of
America N.A.),

Defendants.

Keturah Mixon
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In Pro Per

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**DEFENDANT CARRINGTON MORTGAGE SERVICES, LLC'S
CORRECTED MOTION TO DISMISS**

ORAL ARGUMENT REQUESTED

Defendant Carrington Mortgage Services, LLC, (“CMS”), by and through its counsel, Lipson Neilson P.C., request that the Court enter an order dismissing this action with prejudice under Rule 12(b)(6) of the Federal Rules of Civil Procedure. The facts and authority supporting this motion are set forth in the accompanying brief.

In accordance with W.D. Mich. LR 7.2(a) and this Honorable Judge’s Information and Guidelines, the pre-motion conference is not required, as this case was referred to Magistrate Judge Ellen S. Carmody on June 5, 2018.

Pursuant to Local Civil Rule 7.1(d), on July 11, 2018, a formal email correspondence was sent to the Plaintiff, Keturah Mixon, requesting concurrence with the relief requested in this motion and to inquire if this motion will be opposed. Concurrence was not obtained and Plaintiff indicated that the motion would be opposed.

Respectfully submitted,

Lipson Neilson P.C.

/s/ Thomas G. Costello

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Dated: August 6, 2018